

37492

PTO/SB/21 (09-04)

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**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission 13

Application Number	09/870,194
Filing Date	09/29/2001
First Named Inventor	Steven Jerome Caruso
Art Unit	3749
Examiner Name	Josiah Cocks
Attorney Docket Number	

**ENCLOSURES (Check all that apply)**

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below): X Return Postcard
<b>Remarks</b> Applicant recieved a Notice of Non-Compliant Amendment from the Examiner mailed 7-19-05, indicating that a previous response faxed from the applicant on 6-7-05, 2005, contained a blurred/mis-faxed page. Attached is a complete resubmission of said Fax.		

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm Name			
Signature			
Printed name	Steven Jerome Caruso		
Date	8/17/05	Reg. No.	

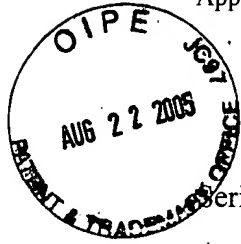
**CERTIFICATE OF TRANSMISSION/MAILING**

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature			
Typed or printed name	Steven Jerome Caruso	Date	8/17/05

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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## In The United States Patent and Trademark Office

Serial Number: 09/870,194

Appn. Filed: 9/29/2001

Applicant(s): Steven Jerome Caruso

Appn. Title: BUILT-IN, RETRACTABLE COUNTERTOP/COOK TOP APPLIANCES/UTENSILS

Examiner/GAU: Cocks, Josiah C. /3749

Antioch Illinois, August 17, 2005

### Response to Notice of Non-Compliant Amendment "B"

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

*The following is in response to a Notice of Non-Compliant Amendment from the Examiner mailed 7-19-05, indicating that a previous response faxed from the applicant on 6- 7-05, 2005, contained a blurred/mis-faxed page. The miscommunicated section essentially comprised the entire response, the amended claims. As such, all of the following from the conclusion of this bold-faced, italicized paragraph is the original faxed text of the original response of 6- 7-05, which has now been mailed on 8-17-05 to ensure accurate transmittal of the original faxed response.*

In response to the Office Letter mailed 7/19/2005, please amend the above application as follows:

- ☐ CLAIMS: Amendments to the claims begin on page 2 of this response. The amended claims were objected to as not adhering to the format required by 37 CFR 1.121. Specifically, applicant used the improper status identifier "Amended", when the proper format of the status identifier for those claims should be "Currently amended". Additionally, applicant used all capitals in the status identifiers of Amendment B. For consistency and to ensure compliance, only the first letters of all status identifiers are now capitalized. Appropriate corrections have been made to the claims, and thus are now respectfully re-submitted in corrected form. Additionally, a clean set of claims is attached as Appendix A of this response.